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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION
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10 GREGORY NICHOLAS STESHENKO,

No. C 09-5543 RS

11 Plaintiff,

12 v.

**ORDER GRANTING LEAVE TO
TAKE DEPOSITION UNDER RULE
30(b)(6)**

13 THOMAS MCKAY, et al.,

14 Defendants.
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17 Plaintiff's request for leave to request to take a deposition of the College under Rule
18 30(b)(6) of the Federal Rules of Civil Procedure is granted. The parties are directed to meet and
19 confer, however, as to appropriate procedures for minimizing the resulting burden to the College.
20 Because the preparation obligations under Rule 30(b)(6) differ from those imposed on other
21 witnesses, and because witnesses not designated to testify under the Rule do not bind the entity,
22 the mere fact that plaintiff will be deposing individuals with knowledge of some or all of the
23 proposed 30(b)(6) topics does not relieve the College of the obligation to provide testimony under
24 the Rule. The parties should discuss, however, designating part or all of the testimony of
25 appropriate percipient witnesses as being provided under the Rule, to avoid duplication and the
26 calling of additional witnesses, if possible. The parties should also attempt to reach stipulations
27 as to the authenticity and characterization of documents as business or public records, to limit or
28 eliminate the need for such testimony.

1 IT IS SO ORDERED.

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3 Dated: 5/21/14



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE